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CHENG, ICHIEH

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/560,738	Applicant(s) RANGANATH ET AL.	
	Examiner ICHIEH CHENG	Art Unit 4183	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12/15/2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 December 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claim 18-20 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim should refer to other claims in the alternative only. See MPEP § 608.01(n). Accordingly, the claims have not been further treated on the merits.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 1-2, 6-17, 21-23 are rejected under 35 U.S.C. 102(b) as being anticipated by Schwartz et al. (US 6473609).

As to claim 1, Schwartz et al. disclose a method for managing access to a plurality of mobile data devices (Fig. 1) connected to a network (Fig. 1) using an intermediate system (Fig. 1, label 114) ; said method comprising the steps:

- a. registering a plurality of mobile data devices, each of said plurality of mobile data devices for provision of data therefrom, and being in communication with said intermediate system via said network (column 17 line 52 – column 18 line 11);
- b. generating a list of available mobile data devices in said intermediate

- system (column 7, line 47 - column 8 line 33; column 15 lines 9 - 27);
- c. receiving a data request from a data requestor (Fig. 9A-9G) ; and
- d. providing a data response (Fig. 9A-9G).

As to claim 2, Schwartz et al. disclose wherein said step a. further comprises the steps:

- i. entering registration data of said plurality of mobile data devices (column 17 line 52 – column 18 line 16);
- ii. verifying said registration data of said plurality of mobile data devices (column 19 lines 18-26); and
- iii. adding said plurality of mobile data devices to said list of available mobile data devices (column 8 lines 12-32).

As to claim 6, Schwartz et al. disclose wherein said registration data further comprises a unique name assigned to each mobile data device identifier of each of said plurality of mobile data devices (column 7 line 47 – column 8 line 32).

As to claim 7, Schwartz et al. disclose wherein said mobile data device identifier comprises: MSIDSN or IMEI or IP addresses of said mobile data device (column 7 line 47 – column 8 line 32).

As to claim 8, Schwartz et al. disclose wherein said registration data further comprises content description of the data provided by said plurality of mobile data devices (column 17 line 52 – column 18 line 16).

As to claim 9, Schwartz et al. disclose wherein said registration data further comprises content category of the data provided by said plurality of mobile data devices (column 7 line 56-column 8 line 45; column 17 line 52 – column 18 line 16).

As to claim 10, Schwartz et al. disclose wherein said registration data further comprises an access list of authorized data requestors having access rights to a specific mobile data device, said access list containing MSISDNs, email addresses or unique data requestor identifiers of said authorized data requestors (column 7 line 47-column 8 line 45; column 15 lines 9-27).

As to claim 11, Schwartz et al. disclose said step ii. further comprises performing a test to establish communication with said plurality of mobile data devices using said registration data (column 19 lines 18-25).

As to claim 12, Schwartz et al. disclose wherein said step b. further comprises the steps:

- i. checking availability of said plurality of mobile data devices (column 19 lines 18-25); and
- ii. updating said list of available mobile data devices (column 15 lines 9 - 27)

As to claim 13, Schwartz et al. disclose wherein said step c. further comprises the step:

- i. receiving a request for available mobile data devices from a data requestor (Fig. 9A-9G);
- ii. determining access rights of said data requestor (column 7 line 56 –

column 8 line 45);

- iii. looking up relevant mobile data devices available to said data requestor (column 7 line 56 – column 8 line 45; column 15 lines 9-27); and
- iv. sending list of said relevant mobile data devices to said data requestor (column 15 lines 9-27).

As to claim 14, Schwartz et al. disclose wherein said step c. further comprises the steps:

- i. receiving a request for content from a specific mobile data device by a data requestor (Fig. 9A-9G);
- ii. determining MSISDN of said specific mobile data device (column 7 line 56 – column 8 line 45);
- iii. determining access rights of said data requestor and connection status of said specific mobile data device (column 7 line 56 – column 8 line 45; column 19 18-25); and
- iv. logging said request for content from said specific mobile data device (column 8 lines 32-67).

As to claim 15, Schwartz et al. disclose wherein said step c. further comprises:

- v. receiving response from said specific mobile data device containing requested content and optionally updating said list of available mobile data devices (Fig. 9A-9G); and

vi. logging said response from said specific mobile data device and forwarding said requested content to said data requestor (column 8 lines 32-67).

As to claim 16, Schwartz et al. disclose wherein said step c. further comprises:

v. transmitting said request to said specific mobile data device (Fig. 9A-9G); and
vi. transmitting requested content to said data requestor by said specific mobile data device through said network (Fig 9A-9G; column 8 lines 46-67).

As to claim 17, Schwartz et al. disclose wherein said step c. further comprises:

i. receiving a request for content from a content category by a data requestor (Fig 9A-9G);
ii. selecting one of said mobile data devices having said content category (Fig 9A-9G; column 17 line 52-column 18 line 32);
iii. determining access rights of said data requestor and connection status of said mobile data device (column 7 line 56 – column 8 line 45; column 19 18-25; and
iv. logging said request for content from said specific mobile data device (column 8 lines 32-67).

As to claim 18, Schwartz et al. disclose said step d. may be initiated by said data request from said data requestor (Fig 9A-9G).

As to claim 21, Schwartz et al. disclose an intermediate system (Fig. 1, label 114) for managing access to a plurality of mobile data devices connected to a network, said intermediate system comprising: a registering means (Fig 3A-B) for registering said plurality of mobile data devices, each of said plurality of mobile data devices for provision of data therefrom, and being in communication with said intermediate system via said network (column 17 line 52 – column 18 line 11); a generating means (Fig 3A-B, Fig. 4) for generating a list of available mobile data devices in said intermediate system (column 7, line 47 - column 8 line 33; column 15 lines 9 - 27); a receiving (Fig 3A-B) means for receiving a data request from a data requestor; and a means for providing a data response (Fig. 3A-B).

As to claim 22, Schwartz et al. disclose wherein said registering means further comprises: an entering means (Fig. 3A-B) for entering registration data of said plurality of mobile data devices (column 17 line 52 – column 18 line 16); a verifying means (Fig. 3A-B) for verifying said registration data of said plurality of mobile data devices (column 19 lines 18-26); and an adding means (Fig. 3A-B) for adding said plurality of mobile data devices to said list of available mobile data device (column 8 lines 12-32).

As to claim 23, Schwartz et al disclose wherein said verifying means further comprises: a checking means (Fig. 3A-B) for checking availability of said plurality of mobile data devices (column 19 lines 18-25); and an updating means for updating said list of available mobile data devices (column 15 lines 9 -27).

As to claim 24, Schwartz et al disclose wherein said receiving means (Fig. 3A-B) is adapted to receive a request for available mobile data devices or a request for

content from a specific mobile data device (Fig. 9A-9G).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148

USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
 2. Ascertaining the differences between the prior art and the claims at issue.
 3. Resolving the level of ordinary skill in the pertinent art.
 4. Considering objective evidence present in the application indicating obviousness or nonobviousness.
5. Claim 3-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schwartz et al. (US 6473609) as applied to claim 2 above in view of Lohtia (US 2003/0023690).

As to claim 3, as applied to claim 2, Schwartz et al. disclose claimed invention above, but do not explicitly disclose said step i. may be performed over the Internet by having an online form.

However, Lohtia discloses said step i. may be performed over the Internet by having an online form ([0016]) to provide more options and conveniences to enter registration data of mobile devices.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the applicants' invention was made to include online form as an option to enter registration data of mobile data devices in order to provide more options and conveniences to enter registration data of mobile devices.

As to claim 4, as applied to claim 2, Schwartz et al. do not disclose wherein said step i. may be performed over the mobile network through a WAP-based form.

However, Lohtia disclose said step i. may be performed over the mobile network through a WAP-based form because WAP is an open international standard for applications that use wireless communication.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the applicants' invention was made to enter registration data of mobile devices through a WAP-based Form to comply with the international standard.

As to claim 5, as applied to claim 2, Schwartz et al. do not disclose wherein said step i. may be performed over the mobile network through interactive SMS.

However, Lohtia disclose said step i. may be performed over the mobile network through interactive SMS because SMS is a common communication mean over the mobile network.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the applicants' invention was made to enter registration data through interactive SMS so majority of the mobile devices can register by interactive SMS.

6. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schwartz et al. (US 6473609) as applied to claim 13 or 14 above.

As to claim 19, Schwartz et al. do not explicitly disclose wherein said step d. may be initiated by a timer based event.

However, the examiner takes official notice that a data response initiated by a timer based event is well known in the art to optimize resources of a system.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the applicants' invention was made to include a data response initiated by a timer based event to optimize resources of a system.

7. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schwartz et al. (US 6473609) as applied to claim 13 or 14 above in view of Johnson et al. (US 5553094).

As to claim 20, Schwartz et al. do not explicitly disclose wherein said step d. may be initiated by an external stimulus such as, without limitation, motion detection, change in temperature, change in humidity, change in count, and the like.

However, Johnson et al. disclose said step d. may be initiated by an external stimulus such as, without limitation, motion detection, change in temperature, change in humidity, change in count, and the like (column 1 lines 24-30) to allow users to monitor information generated from remote data generating station.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the applicants' invention was made to provide a data response initiated by an external stimulus such as, without limitation, motion detection, change in temperature, change in humidity, change in count, and the like to allow user to monitor information generated from remote data generating station.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ICHIEH CHENG whose telephone number is (571)270-1941. The examiner can normally be reached on Monday to Thursday 7:30am to 5:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Len Tran can be reached on 571-272-1184. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ichieh Cheng/
Examiner, Art Unit 4183

3/28/08

IC

/Len Tran/
Supervisory Patent Examiner, Art Unit 4183